

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47586 of 2022

Arising Out of PS. Case No.-251 Year-2019 Thana- GOGRI District- Khagaria

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Gaurav Yadav @ Gaurav Kumar Son of Fulo Yadav Resident Of Village -
Baraita, P.S.- Gogri, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Viveka Nand Singh, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-12-2022 Heard Mr. Viveka Nand Singh, learned Advocate

for the petitioner, Mr. Ranjeet Kumar Singh for the

Informant and Mr. Ram Priya Sharan Singh for the State.

The petitioner seeks bail in connection with
Gogari P.S. Case No. 251 of 2019 dated 01.08.2019
instituted for the offences under Sections 307, 504, 506/34
of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is alleged to have opened fire along
with two others, hitting the Informant on the back side of
his neck.

Three persons, as noted above, are alleged to have
opened fire leading to two grievous injuries on the person of
the Informant.



Learned counsel for the petitioner submits that the F.I.R. has been lodged after delay of eight days and even the injury report does not inspire confidence.

Since one Hira Kumar Yadav is said to have caused pellet injuries, it may be possible that the injury which has been attributed to the petitioner, would actually have been caused by aforesaid Hira Kumar Yadav.

The petitioner though has been made accused in one more criminal case before his implication in the present case but, he has been granted bail in that case.

He is in custody since 23.02.2022.

Regard being had to the period of custody of the petitioner and taking into account that the trial has not even begun, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Gogari P.S. Case No. 251 of 2019 .

However, it is made clear that if the petitioner would not participate in the trial or would in any manner try



to tamper with the evidence or threaten the witnesses, it would be open for the prosecuting agency/informant to initiate a proceeding for cancellation of his bail.

(Ashutosh Kumar, J)

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